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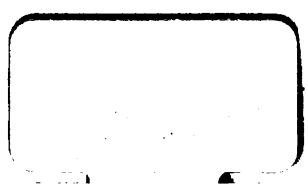

TWO LETTERS

TO

THE EARL OF ABERDEEN,

ON THE

STATE PROSECUTIONS

OF

THE NEAPOLITAN GOVERNMENT.

BY THE RIGHT HON. W. E. GLADSTONE,
M. P. FOR THE UNIVERSITY OF OXFORD.

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TO THE FIRST EDITION OF THE FIRST LETTER.

I PROPOSE to publish forthwith a Second Letter, in further elucidation of the subject, and in explanation of the long delay which has occurred since the following pages were addressed to Lord Aberdeen.

W. E. G.

6, *Carlton Gardens*, 11*th July*, 1851.

LETTER I.,

&c., &c.

6, *Carlton Gardens, April* 7, 1851.

My Dear Lord Aberdeen,

I must begin a letter, which I fear you will find painful, nay, revolting, to the last degree, with offering you my cordial thanks for the permission to address it to you.

After a residence of between three and four months at Naples, I have come home with a deep sense of the duty incumbent upon me to make some attempt towards mitigating the horrors, I can use no weaker word, amidst which the Government of that country is now carried on.

As I shall have to detail startling facts, and as I cannot avoid in describing them the use of the strongest language, I must state at the outset, that it was not for the purposes of political criticism or censorship that I went to Naples. Circumstances purely domestic took me and kept me there. I did not carry with me the idea, that it was any part of my duty to look for grievances in the administration of the Government, or to propagate ideas belonging to another meridian. I admit, in the most unqualified manner, the respect that is due from Englishmen, as from others, to Governments in general, whether they be absolute, constitutional, or republican, as the representatives of a public, nay, of a Divine authority, and as the guardians of order. I do not know that there is any other country in Europe, I am sure there is none unless it is in the south of Italy, from which I should have returned with anything like the ideas and intentions which now press upon my mind. On this, among other grounds, I am grateful for your consent to be the recipient of my statement, because it will give weight to my asseveration, that this grievous subject has forced itself upon me, that I am sincere in disclaiming what is called political propagandism, that I have not gathered wholesale and

without examination the statements I am about to make, that an important part of them are within my own personal knowledge, and that as to the rest of those which are stated without qualification, after no want of care in examining their sources and their grounds, I firmly and deliberately believe them.

Without entering at length into the reasons which have led me thus to trouble you, I shall state these three only: first, that the present practices of the Government of Naples, in reference to real or supposed political offenders, are an outrage upon religion, upon civilisation, upon humanity, and upon decency. Secondly, that these practices are certainly, and even rapidly, doing the work of republicanism in that country: a political creed, which has little natural or habitual root in the character of the people. Thirdly, that as a member of the Conservative party in one of the great family of European nations, I am compelled to remember, that that party stands in virtual and real, though perhaps unconscious, alliance with all the established Governments of Europe as such; and that, according to the measure of its influence, they suffer more or less of moral detriment from its reverses, and derive strength and encouragement from its successes. This principle, which applies with very limited force to the powerful States, whose Governments are strong, not only in military organization, but in the habits and affections of the people, is a principle of great practical importance in reference to the Government of Naples, which, from whatever cause, appears to view its own social, like its physical position, as one under the shadow of a volcano, and which is doing everything in its power from day to day to give reality to its own dangers, and fresh intensity, together with fresh cause, to its fears.

In approaching the statement of the case, I must premise that I pass over an important prefatory consideration, with respect to the whole groundwork of governing authority in the kingdom of the Two Sicilies at this moment; and that I shall not inquire whether, according to reason and social right, the actual Government of that country be one with or without a title, one of law or one of force. I shall assume that the Constitution of January, 1848, spontaneously given, sworn to as irrevocable, with every circumstance of solemnity, and never to this day either legally or

even ostensibly revoked, (although contravened in almost every act of the Government,) never existed, and is a pure fiction. I will not appeal to it, because such an appeal might give color to the idea that my desire was to meddle with the form of Government, and might thus interfere with those purposes of humanity which, and which alone in the first instance, I propose to myself and to you: whereas, in truth, I am firmly of opinion that this very important matter may much more safely and wisely, and indeed can only with propriety be regarded as an internal question, which it is for the Sovereign of the country to settle with his subjects, apart from any intervention of ours; unless indeed questions should incidentally arise affecting it under the treaty of 1844 between the Two Sicilies and England, upon some parts of which, as a colleague of your Lordship, I had the honor to be employed. With such a topic at present I can have nothing to do; nor should I have alluded to the Neapolitan Constitution in this place at all, but because a recollection of the main facts connected with it is necessary in order in any manner to explain the recent conduct of the Government of Naples, and to give full credibility to statements so astonishing as those which I shall have to make.

I must not suppress the expression of my full persuasion, that in reading this letter you will feel disposed to ask, how can conduct so inhuman and monstrous be pursued without a motive, and what can be the motive here? To answer that question fully, I must enter upon the history of the Neapolitan Constitution. But for the present, and so long as I have the hope of any prompt amendment without a formal controversy, I am content at whatever disadvantage to leave that question unanswered, though a reply to it is certainly essential to the entire development of my case.

One other prefatory word yet remains. In these pages you will find no reference to the struggle waged, and waged successfully, by the King of Naples against his Sicilian subjects, or to the conduct of any of the parties either immediately or indirectly concerned in it. My subject-matter is wholly different; it is the conduct of the Government of that Sovereign towards the Neapolitan or continental subjects, through whose fidelity and courage the subjugation of Sicily was effected.

There is a general impression that the organization of the Go-

vernments of Southern Italy is defective—that the administration of justice is tainted with corruption—that instances of abuse or cruelty among subordinate public functionaries are not uncommon, and that political offences are punished with severity, and with no great regard to the forms of justice.

I advert to this vague supposition of a given state of things, for the purpose of stating that, had it been accurate, I should have spared myself this labor. The difference between the faintest outline that a moment's handling of the pencil sketches, and the deepest coloring of the most elaborately finished portrait, but feebly illustrates the relation of these vague suppositions to the actual truth of the Neapolitan case. It is not mere imperfection, not corruption in low quarters, not occasional severity, that I am about to describe: it is incessant, systematic, deliberate, violation of the law by the Power appointed to watch over and maintain it. It is such violation of human and written law as this, carried on for the purpose of violating every other law unwritten and eternal, human and divine; it is the wholesale persecution of virtue when united with intelligence, operating upon such a scale that entire classes may with truth be said to be its object, so that the Government is in bitter and cruel, as well as utterly illegal, hostility to whatever in the nation really lives and moves, and forms the main-spring of practical progress and improvement; it is the awful profanation of public religion, by its notorious alliance, in the governing powers, with the violation of every moral law under the stimulants of fear and vengeance; it is the perfect prostitution of the judicial office, which has made it, under veils only too threadbare and transparent, the degraded recipient of the vilest and clumsiest forgeries, got up wilfully and deliberately, by the immediate advisers of the Crown, for the purpose of destroying the peace, the freedom, aye and even if not by capital sentences the life, of men among the most virtuous, upright, intelligent, distinguished, and refined of the whole community; it is the savage and cowardly system of moral, as well as in a lower degree of physical, torture, through which the sentences extracted from the debased courts of justice are carried into effect.

The effect of all this is, total inversion of all the moral and social ideas. Law, instead of being respected, is odious. Force,

and not affection, is the foundation of Government. There is no association, but a violent antagonism, between the idea of freedom and that of order. The governing power, which teaches of itself that it is the image of God upon earth, is clothed, in the view of the overwhelming majority of the thinking public, with all the vices for its attributes. I have seen and heard the strong and too true expression used, "This is the negation of God erected into a system of Government."*

I confess my amazement at the gentleness of character, which has been shown by the Neapolitan people in times of revolution. It really seems as if the hell-born spirit of revenge had no place whatever in their breasts. I know that at any rate some illustrious victims are supported by the spirit of Christian resignation, by their cheerful acceptance of the will of God. But the present persecution is awfully aggravated, as compared with former ones; it differs too in this, that it seems to be specially directed against those men of moderate opinions, whom a Goverment well stocked even with worldly prudence, whom Machiavelli, had he been minister, would have made it his study to conciliate and attach. These men, therefore, are being cleared away; and the present efforts to drive poor human nature to extremes cannot wholly fail in stirring up the ferocious passions, which never, to my belief, since the times of the heathen tyrants, have had so much to arouse, or so much to palliate when aroused, their fury.

I must first speak of the extent and scale of the present proceedings.

The general belief is, that the prisoners for political offences in the kingdom of the Two Sicilies, are between fifteen, or twenty, and thirty thousand. The Government withholds all means of accurate information, and accordingly there can be no certainty on the point. I have, however, found that this belief is shared by persons the most intelligent, considerate, and well-informed. It is also supported by what is known of the astonishing crowds confined in particular prisons; and especially by what is accurately known in particular provincial localities, as to the numbers of individuals missing from among the community. I have heard these numbers

* *E la negazione di Dio eretta a sistema di governo.*

for example at Reggio, and at Salerno; and from an effort to estimate them in reference to population, I do believe that twenty thousand is no unreasonable estimate. In Naples alone, some hundreds are at this moment under indictment *capitally;* and when I quitted it, a trial was expected to come on immediately, (called that of the fifteenth of May,) in which the number charged was between four and five hundred; including (though this is a digression) at least one or more persons of high station whose opinions would in this country be considered more Conservative than your own.

The Neapolitan Government, indeed, appears to have something of the art which Mr. Burke declared to be beyond him; he "did not know how to frame an indictment against a people." After considering what I have said, pray consider next, that the number of refugees and persons variously concealed, probably larger, perhaps much larger, than that of the prisoners, is also to be reckoned. We must then remember, that a very large proportion of these prisoners belong to the middle class, (though there are also considerable numbers of the working class,) and further, that the numbers of the middle class, in the kingdom of Naples, (of which region I shall speak all through, meaning the Regno, or continental dominions, of his Sicilian Majesty,) must be a much smaller part of the entire population than they are among ourselves. We must next consider that of these persons very few have independent means of support for their families; not to mention that, as I *hear*, confiscation or sequestration upon arrest is frequent. So that, generally, each case of a prisoner or refugee becomes the centre of a separate circle of human misery; and now there may be some inkling of the grounds for saying, that the system, the character of which I am about to examine further, has whole classes for its object, and those classes the very classes upon which the health, solidity, and progress of the nation mainly depend.

But why should it seem strange that the Government of Naples should be at open war with those classes? In the schools of the country it is, I have heard, compulsory to employ the political Catechism ascribed to the Canonico Apuzzi, of which I have a copy. In this catechism, civilization and barbarism are represented as two opposite extremes, both of them vicious; and it is distinctly

taught, taught therefore by the Government of Naples, that happiness and virtue lie in a just *mean* between them.

But again. Shortly after I reached Naples I heard a man of eminent station accused, with much vituperation, of having stated that nearly all those who had formed the "Opposition" in the Chamber of Deputies under the Constitution were in prison or in exile. I frankly own my impression was, that a statement apparently so monstrous and incredible deserved the reprobation it was then receiving. It was (I think) in November last. The Chamber had been elected by the people under a Constitution freely and spontaneously given by the King: elected twice over, and with little change, but that little in favor of the Opposition. No *one* of the body, I think, had then been brought to trial, (although I may state, in passing, one of them had been assassinated by a priest named Peluso, well known in the streets of Naples when I was there, never questioned for the act, and said to receive a pension from the Government.) So that I put down this statement as a fiction, and the circulation of it as, at the very least, a gross indiscretion or more. What was my astonishment when I saw a list in detail which too fully proved its truth; nay, which in the most essential point proved more.

It appears, my dear Lord, that the full complement of the Chamber of Deputies was 164; elected by a constituency which brought to poll about 117,000 votes. Of these about 140 was the greatest number that came to Naples to exercise the functions of the Chamber, An absolute majority of this number, or seventy-six, besides some others who had been deprived of offices, had either been arrested or had gone into exile. So that after the regular formation of a popular representative Chamber, and its suppression in the teeth of the law, the Government of Naples has consummated its audacity by putting into prison, or driving into banishment, for the sake of escaping prison, an actual majority of the representatives of the people.

I have now said enough upon the scale of these proceedings; and I pass to the examination of their character; and first their character in point of law, because I have charged the Government with systematic violation of it.

The law of Naples, as I have been informed, requires that

personal liberty shall be inviolable, except under a warrant from a Court of Justice authorised for the purpose. I do not mean the Constitution, but the law anterior to and independent of the Constitution. This warrant, I understand, must proceed upon actual depositions, and must state the nature of the charge, or it must be communicated immediately afterwards, I am not sure which.

In utter defiance of this law, the Government, of which the Prefect of Police is an important member, through the agents of that deparement, watches and dogs the people, pays domiciliary visits, very commonly at night, ransacks houses, seizing papers and effects, and tearing up floors at pleasure under pretence of searching for arms, and imprisons men by the score, by the hundred, by the thousand, without any warrant whatever, sometimes without even any written authority at all, or anything beyond the word of a policeman; constantly without any statement whatever of the nature of the offence.

Nor is this last fact wonderful. Men are arrested, not because they have committed, or are believed to have committed, any offence; but because they are persons whom it is thought convenient to confine and to get rid of, and against whom therefore some charge must be found or fabricated.

The first process, therefore, commonly is to seize them and imprison them; and to seize and carry off books, papers, or whatever else these degraded hirelings may choose. The correspondence of the prisoner is then examined, as soon as may be found convenient, and he is himself examined upon it: in secret, without any intimation of the charges, which as yet in fact do not exist; or of the witnesses, who do not exist either. In this examination he is allowed no assistance whatever, nor has he at this stage any power of communication with a legal adviser! He is not examined only, but, as I *know*, insulted at will and in the grossest manner, under pretence of examination, by the officers of the police. And do not suppose this is the fault of individuals. It is essential to the system, of which the essential aim is, to *create* a charge. What more likely than that, smarting under insult, and knowing with what encouragement and for whose benefit it is offered, the prisoner should for a moment lose his temper, and utter some expression disparaging to the sacred majesty of the

Government? If he does, it goes down in the minutes against him: if he does not, but keeps his self-command, no harm is done to the great end in view.

His correspondence is examined as well as himself. Suppose him a man of cultivated intelligence: he has probably watched public affairs and followed their vicissitudes. His copies of letters, or the letters to him which he may have kept, will contain allusions to them. The value of this evidence as evidence would of course depend upon giving full effect to all these allusions taken in connection one with the other. But not so: any expression which implies disapproval (since nothing is easier than to construe disapproval into disaffection, disaffection into an intention of revolution or of regicide) is entered on the minutes. Suppose there happens to be some other, which entirely destroys the force of the former, and demonstrates the loyalty of the victim: it is put by as of no consequence; and if he remonstrate, it is in vain. In countries where justice is regarded acts are punished, and it is deemed unjust to punish thoughts; but in this case thoughts are forged in order that they may be punished. I here speak of what I know to have happened, and have imagined or heightened *nothing*.

For months, or for a year, or for two years, or three, as the case may be, these prisoners are detained before their trials; but very generally for the longer terms. I do not happen to have heard of any one tried at Naples on a political charge, in these last times, with less than sixteen or eighteen months of previous imprisonment. I have *seen* men still waiting, who had been confined for six and twenty months; and this confinement, as I have said, began by an act not of law, but of force in defiance of law. There may be cases, doubtless there are, of arrest under warrant, after depositions: but it is needless to enter upon what is, I believe, purely exceptional.

I do not scruple to assert, in continuation, that when every effort has been used to concoct a charge, if possible, out of the perversion and partial production of real evidence, this often fails: and then the resort is to perjury and to forgery. The miserable creatures to be found in most communities, but especially in those where the Government is the great agent of corruption upon

the people, the wretches who are ready to sell the liberty and life of fellow-subjects for gold, and to throw their own souls into the bargain, are deliberately employed by the Executive Power, to depose according to their inventions against the man whom it is thought desirable to ruin. Although, however, practice should by this time have made perfect, these depositions are generally made in the coarsest and clumsiest manner; and they bear upon them the evidences of falsehood in absurdities and self-contradictions, accumulated even to nausea. But what then? Mark the calculation. If there is plenty of it, some of it, according to the vulgar phrase, will stick. Do not think I am speaking loosely. I declare my belief that the whole proceeding is linked together from first to last; a depraved logic runs through it. Inventors must shoot at random, therefore they take many strings to their bow. It would be strange indeed, and contrary to the doctrine of chances, if the whole forged fabric were dissolved and over-thrown by self-contradiction. Now let us consider practically what takes place. Suppose nine-tenths too absurd to stand even before the Neapolitan Courts; of this portion some is withdrawn by the police and not carried into the trial at all, after they have been made aware, through the prisoner's or his counsel's assistance, of its absurdity; the rest is overlooked by the judges. In any other country it would of course lead to inquiry, and to a prosecution for perjury. Not so there; it is rather regarded as so much of well-meant and patriotic effort, which, through untoward circumstances, has failed. It is simply neutralized and stands at *zero*. But there remains the *one*-tenth not self-contradicted. Well, but surely you will say the prisoner will be able to rebut that, if false, by counter-evidence. Alas! he may have counter-evidence mountains high, but *he is not allowed to bring it*. I know this is hardly credible, but it is true. The very men tried while I was at Naples, named and appealed to the counter-evidence of scores and hundreds of men of all classes and professions—military, clergy, Government functionaries, and the rest; but in every instance, with, I believe, one single exception, the Court, the Grand Criminal Court of Justice, refused to hear it; and in that one case the person, when called, fully bore out the statement of the prisoner. Of course, the assertion of the accused, how-

ever supported by the evidence of station and character, goes for nothing against the small remaining fragment not self-destroyed of the fictions of the vilest wretch, however such a fragment be buried beneath presumptions of falsehood; and this fragment being thus secured from confutation, forms the pillow on which the consciences of the judges, after the work of condemnation, calmly and quietly repose.

I ought, however, to point out, for the sake of accuracy, that when the forged testimony has been procured, the Government are in a condition to present it to the Court, obtain a warrant, and so far legalise the imprisonment.

Now, how are these *detenuti* treated during the long and awful period of apprehension and dismay between their illegal seizure and their illegal trial? The prisons of Naples, as is well known, are another name for the extreme of filth and horror. I have really seen something of them, but not the worst. This I have seen, my Lord: the official doctors not going to the sick prisoners, but the sick prisoners, men almost with death on their faces, toiling upstairs to them at that charnelhouse of the Vicaria, because the lower regions of such a palace of darkness are too foul and loathsome to allow it to be expected that professional men should consent to earn bread by entering them. As to diet, I must speak a word for the bread that I have seen. Though black and coarse to the last degree, it was sound. The soup, which forms the only other element of subsistence, is so nauseous, as I was assured, that nothing but the extreme of hunger could overcome the repugnance of nature to it. I had not the means of tasting it. The filth of the prisons is beastly. The officers, except at night, hardly ever enter them. I was ridiculed for reading with some care pretended regulations posted up on the wall of an outer room. One of them was for the visits of the doctors to the sick. I saw the doctors with that regulation over them, and men with one foot in the grave visiting them, not visited by them. I have walked among a crowd of between three and four hundred Neapolitan prisoners: murderers, thieves, all kinds of ordinary criminals, some condemned and some uncondemned, and the politicaly accused indiscriminately: not a chain upon a man of them, not an officer nearer than at the end of many apartments,

with many locked doors and gratings between us; but not only was there nothing to dread, there was even a good deal of politeness to me as a stranger. They are a self-governed community, the main authority being that of the *gamorristi*, the men of most celebrity among them for audacious crime. Employment they have none. This swarm of human beings all slept in a long low vaulted room, having no light except from a single and very moderate sized grating at one end. The political prisoners, by payment, had the privilege of a separate chamber off the former, but there was no division between them.

This is not well, but it is far from being the worst. I will now give your Lordship another specimen of the treatment administered at Naples to men illegally arrested, and as yet uncondemned. From the 7th of December last to the 3d of February, Pironte, who was formerly a judge, and is still a gentleman, and who was found guilty on or about the last named day, spent his whole days and nights, except when on his trial, with two other men, in a cell at the *Vicaria*, about eight feet square, below the level of the ground, with no light except a grating at the top of the wall, out of which they could not see. Within the space of these eight feet, with the single exception I have named, Pironte and his companions were confined during these two months; neither for Mass were they allowed to quit it, nor for any other purpose whatsoever! This was in Naples, where by universal consent matters are far better than in the provinces. The presence of strangers has some small influence on the Government: the eye of humanity or of curiosity pierces into some dark crannies here, that are wholly unpenetrated in the remoteness of the Provinces, or in those lonely islands scattered along the coast, whose picturesque and romantic forms delight the eye of the passing voyager, ignorant what huge and festering masses of human suffering they conceal. This, I say, was in Naples; it was the case of a gentleman, a lawyer, a judge, accused but uncondemned. Do not suppose it is selected and exceptional. I had no power to select, except from what happened to become known to me, from among a sample quite insignificant in comparison with what must have remained unknown to me. And now, after this one fact, does not the strange and seemingly mad charge I have made against the

Neapolitan Government begin, as the light of detail flows in upon it, to assume method and determinate figure?

There was another case that I learned, which I believe I can report with accuracy, though my knowledge of it is not quite the same as of the last. When I left Naples, in February, the Baron Porcari was confined in the Maschio of Ischia. He was accused of a share in the Calabrian insurrection, and was awaiting his trial. This Maschio is a dungeon without light, and 24 feet or palms (I am not sure which) below the level of the sea. He is never allowed to quit it day or night, and no one is permitted to visit him there, except his wife—once a fortnight!

I have now probably said enough of the proceedings previous to trial; but there is one small gap to fill up. If the arrest is contrary to law, why not, it may be asked, bring an action for false imprisonment? I have made some inquiry upon that head. I understand that as in other points, so neither in this, is the *law* defective; that such an action might probably be brought, and might in argument be made good, but the want is that of a Court which would dare to entertain it. This will be better understood when I come to speak of the political sentences: for the present I pass on.

And now, perhaps, I cannot do better than to furnish a thread to my statement by dealing particularly with the case of Carlo Poerio. It has every recommendation for the purpose. His father was a distinguished lawyer. He is himself a refined and accomplished gentleman, a copious and eloquent speaker, a respected and blameless character. I have had the means of ascertaining in some degree his political position. He is strictly a Constitutionalist; and while I refrain from examining into the shameful chapter of Neapolitan history which that word might open, I must beg you to remember that its strict meaning there is just the same as here, that it signifies a person opposed in heart to all violent measures from whatever quarter, and having for his political creed the maintenance of the monarchy on its legal basis, by legal means, and with all the civilizing improvements of laws and establishments which may tend to the welfare and happiness of the community. His pattern is England, rather than America or France. I have never heard him charged with error in politics, other than such as can generally be alleged with truth against the

most highminded and loyal, the most intelligent and constitutional, of our own statesmen. I must say, after a pretty full examination of his case, that the condemnation of such a man for treason is a proceeding just as much conformable to the laws of truth, justice, decency and fair play, and to the common sense of the community, in fact just as great and gross an outrage on them all, as would be a like condemnation in this country of any of our best known public men, Lord John Russell, or Lord Lansdowne, or Sir James Graham, or yourself. I will not say it is precisely the same as respects his rank and position, but they have scarcely any public man who stands higher, nor is there any one of the names I have mentioned dearer to the English nation—perhaps none so dear—as is that of Poerio to his Neapolitan fellow-countrymen.

I pass by other mournful and remarkable cases, such as that of Settembrini, who, in a sphere by some degrees narrower, but with a character quite as pure and fair, was tried with Poerio and forty more, and was capitally convicted, in February, though through a humane provision of the law the sentence was not executed; but he has, I fear, been reserved for a fate much harder: double irons for life, upon a remote and sea-girt rock: nay, there may even be reason to fear that he is directly subjected to physical torture. The mode of it, which was specified to me upon respectable though not certain authority, was the thrusting of sharp instruments under the finger-nails.

I shall likewise say very little upon the case of Faucitano, who, like Settembrini, was tried with Poerio in the same batch of forty-two prisoners during the winter. His case is peculiar, since there really was a foundation for the charge. The charge was an intention to destroy, by means of some terrible explosive agents, several of the Ministers and other persons. The foundation was, that he had in his breast-pocket, on a great public occasion, a single bottle, which exploded there without injuring him in life or limb! It is likely that he had intended some freak or folly, but he was condemned to death. Till within a few hours of the time appointed, it was believed he would be executed. The Bianchi were in the streets, collecting alms to purchase masses for his soul. He was in the chapel of the condemned, with the priests

about him, when during the night, his case having been discussed at a council in the daytime, there came down from Caserta a messenger with orders for his reprieve. I have learned the agency through which that reprieve was procured, but the notice of it is unnecessary for my present purpose.

Carlo Poerio was one of the Ministers of the Crown under the Constitution, and had also one of the most prominent positions in the Neapolitan Parliament. He was, as regarded the Sicilian question, friendly to the maintenance of the unity of the kingdom. He was also friendly to the War of independence, as it was termed; but I have never heard that he manifested greater zeal in that matter than the King of Naples; it is a question, of course, wholly irrespective of what we have now to consider. Poerio appeared to enjoy the King's full confidence; his resignation, when offerred, was at first declined, and his advice asked even after its acceptance.

The history of his arrest, as detailed by himself, in his address of February 8, 1850, to his judges, deserves attention. The evening before it (July 18, 1849) a letter was left at his house by a person unknown, conceived in these terms:—"Fly; and fly with speed. You are betrayed! the Government is already in possession of your correspondence with the Marquis Dragonetti. From one who loves you much." Had he fled, it would have been proof of guilt, ample for those of whom we are now speaking. But he was aware of this, and did not fly. Moreover, no such correspondence existed. On the 19th, about four in the afternoon, two persons, presenting themselves at his door under a false title, obtained entry, and announced to him that he was arrested in virtue of a verbal order of Peccheneda, the Prefect of Police. He protested in vain: the house was ransacked: he was carried into solitary confinement. He demanded to be examined, and to know the cause of his arrest within twenty-four hours, according to law, but in vain. So early, however, as on the sixth day, he was brought before the Commissary Maddaloni; and a letter, with the seal unbroken, was put into his hands. It was addressed to him, and he was told that it had come under cover to a friend of the Marquis Dragonetti, but that the cover had been opened in mistake by an officer of the police, who happened to have the same

name, though a different surname, and who, on perceiving what was within, handed both to the authorities. Poerio was desired to open it, and did open it, in the presence of the Commissary. Thus far, nothing could be more elaborate and careful than the arrangement of the proceeding. But mark the sequel. The matter of the letter of course was highly treasonable; it announced an invasion by Garibaldi, fixed a conference with Mazzini, and referred to a correspondence with Lord Palmerston, whose name was miserably mangled, who promised to aid a proximate revolution. "I perceived at once," says Poerio, "that the handwriting of Dragonetti was vilely imitated, and I said so, remarking that the internal evidence of sheer forgery was higher than any amount of material proof whatever." Dragonetti was one of the most accomplished of Italians; whereas this letter was full of blunders, both of grammar and of spelling. It is scarcely worth while to notice other absurdities; such as the signature of name, surname, and title in full, and the transmission of such a letter by the ordinary post of Naples. Poerio had among his papers certain genuine letters of Dragonetti's; they were produced and compared with this; and the forgery stood confessed. Upon the detection of this monstrous iniquity, what steps were taken by the Government to avenge not Poerio, but public justice? None whatever: the papers were simply laid aside.

I have taken this detail from Poerio himself, in his Defence; but all Naples knows the story, and knows it with disgust.

Poerio's papers furnished no matter of accusation.

It was thus necessary to forge again; or rather perhaps to act upon forgeries which had been prepared, but which were at first deemed inferior to the Dragonetti letter.

A person named Jervolino, a disappointed applicant for some low office, had been selected for the work both of espionage and of perjury; and Poerio was now accused, under information from him, of being among the chiefs of a republican sect, denominated the *Unita Italiana*, and of an intention to murder the King. He demanded to be confronted with his accuser. He had long before known, and named Jervolino to his friends as having falsely denounced him to the Government; but the authorities refused to confront them; the name was not even told him; he went from

one prison to another; he was confined, as he alleges, in places fit for filthy brutes rather than men; he was cut off from the sight of friends; even his mother, his sole remaining near relation in the country, was not permitted to see him for two months together. Thus he passed some seven or eight months in total ignorance of any evidence against him, or of those who gave it. During that interval Signor Antonio de' Duchi di Santo Vito came to him, and told him the Government knew all; but that if he would confess, his life would be spared. He demanded of his judges on his trial that Santo Vito should be examined as to this statement: of course it was not done. But more than this. Signor Peccheneda himself, the director of the police, and holding the station of a cabinet minister of the King, went repeatedly to the prison, summoned divers prisoners, and with flagrant illegality examined them himself, without witnesses, and without record. One of these was Carafa. By one deposition of this Carafa, who was a man of noble family, it was declared, that Peccheneda himself assured him his matter should be very easily arranged, if he would only testify to Poerio's acquaintance with certain revolutionary handbills. It could not be; and the cabinet minister took leave of Carafa with the words—"Very well, sir; you wish to destroy yourself; I leave you to your fate."

Such was the conduct of Peccheneda, as Poerio did not fear to state it before his judges. I must add, that I have heard upon indubitable authority of other proceedings of that minister of the King of Naples, which fully support the credibility of the charge.

Besides the *denunzia*, or accusation of Jervolino, on which the trial ultimately turned, there was against Poerio the evidence given by Romeo, a printer, and co-accused, to the effect that he had heard another person mention Poerio as one of the heads of the sect. The value of this evidence may be estimated from the fact that it included along with Poerio two of the persons *then* ministers, the Cav. Bozzelli and the Principe di Torella. It was in fact abandoned as worthless, for it spoke of Poerio as a chief in the sect; but this was in contradiction with Jervolino, and the charge of membership only was prosecuted against him. But again, you will remark, the prisoner in no way took benefit from the explosion or failure of any charge; all proceedings went on

the principle that the duty of Government was to prove guilt, by means true or false, and that public justice has no interest in the acquittal of the innocent.

There was also the testimony of Margherita, another of the co-accused. He declared, upon an after thought, that Poerio attended a meeting of the high council of the sect. He declared also that, as a member of this republican and revolutionary sect, Poerio was one of three, who contended for maintaining the monarchical constitution; and that he was accordingly expelled! On this ground, not to mention others, the evidonce of Margherita was unavailable.

It is too easy to understand why these efforts were made by the co-accused at inculpating Poerio and other men of consideration. But they did not issue in relief to the parties who made them, perhaps because their work was so ill-executed, or even their treachery not thought genuine. Margherita was confined at Nisida, in February, in the same room with those whom he had denounced. Nay, he had actually been chained to one of them. I shall hereafter describe what this joint chaining is.

The accusation then of Jervolino* formed the sole real basis of the trial and condemnation of Poerio.

'Upon this evidence of a man without character or station, and who was a disappointed suitor for office that he thought he should have had by Poerio's means, a gentleman of the highest character, recently a confidential and favored servant of the King, was put upon trial for his life.

The matter of the accusation was this. Jervolino stated that, having failed to obtain an office through Poerio, he asked him to enrol him in the sect of the *Unità Italiana*. That Poerio put him in charge of a person named Attanasio, who was to take him to another of the prisoners, named Nisco, that he might be admitted. That Nisco sent him to a third person, named Ambrosio, who initiated him. He could not recollect any of the forms, nor the oath of the sect! Of the certificate or diploma, or of the meetings, which the rules of the sect when published (as the Government

* Poerio was named in the evidence of Carafa; but in a manner tending positively to prove his innocence.

professed to have found them) proved to be indispensable for all its members, he knew nothing whatever!

How did he know, said Poerio, that I was of the sect when he asked me to admit him? No answer. Why could not Nisco, who is represented in the accusation as a leader, admit him? No answer. If I, being a Minister of the Crown at the time, was also a member of the sect, could it be necessary for me to have him thus referred to one person, and another, and a third, for admission? No answer. Why has not Ambrosio, who admitted him, been molested by the Government? No answer. Could I be a sectarian when, as a Minister, I was decried and reviled by the exalted party in all their journals for holding fast by the Constitutional Monarchy? No answer. Nay, such was the impudent stupidity of the informer, that, in detailing the confidences which Poerio, as he said, had made to him, he fixed the last of them in May 29, 1849; upon which Poerio showed that on May 21, or seven days before, he was in possession of a written report and accusation, made by Jervolino, as the appointed spy upon him, to the police: and yet, with this in his hand, he still continued to make him a political confidant!

Such was a specimen of the tissue of Jervolino's evidence; such its contradictions and absurdities. Jervolino had, shortly before, been a beggar; he now appeared well dressed and in good condition. I have stated that the multitudes of witnesses called by the accused in exculpation were in no case but one allowed to be called. That one, as I have learned it, was this:—Poerio alleged, that a certain archpriest declared Jervolino had told him he received a pension of twelve ducats a month from the Government for the accusations he was making against Poerio: and the archpriest, on the prisoner's demand, was examined. The archpriest confirmed the statement, and mentioned two more of his relatives who could do the same. In another case I have heard that six persons to whom a prisoner appealed as witnesses in exculpation, were thereupon themselves arrested. Nothing more likely.

I myself heard Jervolino's evidence discussed, for many hours, in court; and it appeared to me that the tenth part of what I heard should not only have ended the case, but have secured his condign punishment for perjury.

I must, however, return to the point, and say, even had his evidence been self-consistent and free from the grosser presumptions of untruth, the very fact of his character, as compared with Poerio's, was enough to have secured the acquittal of the accused with any man who had Justice for his object. Nor do I believe there is one man in Naples, of average intelligence, who believes one word of the accusation of Jervolino.

Two exceptions were taken in the course of these proceedings. It was argued by the counsel for Poerio, that the Grand Court Extraordinary, before which the trial took place, was incompetent to deal with the case, because the charge referred to his conduct while a minister and a member of the Chamber of Deputies: and by the 48th Article of the Constitutional Statute all such charges were to be tried by the Chamber of Peers. The exception was rejected: and the rejection confirmed upon appeal.

The second exception was this. It was distinctly charged against the prisoners that their supposed sect had conspired against the life of some of the Ministers, and of the judge Domenic-antonio Navarro, the President of the Court; first, by means of the bottle that exploded in the pocket of Faucitano; secondly, by means of a body of *pugnalatori* or assassins, who were to do the work if the bottle failed. This intention purported to be founded on the cruelty of the judgments he had pronounced upon innocent persons. The prisoners protested against being tried by him, and he himself presented a note to the Court stating he felt scruples about proceeding with the case, and desired to be guided by the rest of the Court. The Court unanimously decided that he ought to sit and judge these men upon a charge including the allegation of their intent to murder him; and fined the prisoners and their counsel 100 ducats for taking the objection! This decision, too, was confirmed upon appeal; and the Courts both sagely observed, that the scruple felt by Navarro was itself such a proof of the impartial, delicate, and generous nature of his mind, as ought to show that he could not possibly be under any bias; while they admitted, that under the law of Naples, if he had even within five years been engaged in any criminal suit as a party against them, he could not have sat. So this delicate, impartial, and generous-minded man, accordingly, sat and tried the prison-

ers. In the case where I have heard the detail of the voting of the judges, Navarro voted for condemnation, and for the severest form of punishment. I have been told, and I believe he makes no secret of his opinion, that all persons charged by the King's Government ought to be found guilty. I have been told, and I fully believe, that Poerio, whose case was certainly a pretty strong one, even for the Neapolitan judges, would have been acquitted by a division of four to four (such is the humane provision of the law in case of equality) had not Navarro, by the distinct use of intimidation, that is of threats of dismissal, to a judge whose name has been told me, procured the number necessary for a sentence.* But I need not go into these foul recesses. I stand upon the fact that Navarro, whose life, according to the evidence for the charge, was aimed at by the prisoners, sat as President of the Court that tried them for their lives; and I ask whether language can exaggerate the state of things in a country where such enormities are perpetrated under the direct sanction of the Government?

So much for the exceptions. I must observe on another curious point, with reference to the court of justice. It did not sit as an ordinary, but as a special, Court. When a Court sits specially, it is with a view to dispatch. On these occasions the process is shortened by the omission of many forms, most valuable, as I am assured, for the defence of the prisoner. Above forty persons, on that single occasion, were thus robbed of important aids, with a view to expedition; and yet these men had been sixteen or eighteen months and upwards in prison before they were brought to trial!

I shall now give an indication, not of the impartiality of the Court, but of the degree of decency with which its partiality is veiled. In two cases it happened to be within the knowledge of the counsel for the prisoners that the perjured witnesses against them did not even know them by sight. In one of these the counsel desired to be allowed to ask the witness to point out the accused person among the whole number of those charged, who were all sitting together. The Court refused permission. In the

* He appears to have been finally found guilty (of belonging to the sect) by six of his Judges—NOTE; July 11, 1851.

other case, the counsel challenged the witness to point out the man of whose proceedings he was speaking. If I am rightly informed, Navarro, whom I have so lately mentioned, affecting not to hear the question, called out to the prisoner, "Stand up, Signor Nisco: the Court has a question to ask you." This was done, and Counsel then informed that he might pursue his examination. A laugh of bitter mockery ran through the Court.

I must now place before you an example of the humanity, with which invalid prisoners are treated by the Grand Criminal Court at Naples. The statement is not mine; but it proceeds from a gentleman and an eye-witness, and one who thoroughly understands the language.

"The original number of the persons under trial for forming part of the imaginary society christened by the police the Unità Italiana, was forty-two. The list was headed by the name of Antonio Leipnecher, now no more. His illness prevented the Court sitting for some days. At last Navarro informed the medical men attached to the prisons, that their consciences must find means to certify the possibility of Leipnecher's attendance on the following morning.

"On the following morning I was on my way to the tribunal with a friend, when we met one of the doctors with whom my friend was acquainted. He began to talk about Leipnecher, and said the man was dangerously ill, but that his position was such that he could not safely certify to the impossibility of his attendance, and that he had consequently informed the President that Leipnecher might be brought into Court in a sedan chair, provided restoratives were allowed him and *no question were asked him.*

"I entered the Court, and after the other prisoners had taken their places, a sedan chair was brought in from which Antonio Leipnecher was led, or rather carried, in a state of mental and bodily prostration.

"Navarro opened the proceedings by calling upon the *Cancelliere* to read the *interrogatorio* of Antonio Leipnecher, and when finished, called upon him for his observations. His lawyer said that he had already endeavored to speak to him, but that he was unable to answer or understand. Navarro then addressed him in a menacing tone, cautioning him that by shamming illness he was

ruining his own cause. Leipnecher made some inaudible observations, which were repeated by another prisoner, to the effect that the doctors had not taken any pains to cure him. 'Oh!' said Navarro, 'write down that he says the doctors would not cure him.' The *Procuratore Generale*, Angelillo, then desired that the doctors might be again called in to give their opinion as to his present state, which they did in an hour, and reported him suffering from an acute fever and unable to remain. 'But,' said Angelillo, 'as he is here, why can he not remain?' 'He cannot,' said the doctors, 'without immediate danger to his life.' The Court then broke up, and when it again met in the course of two or three days, Leipnecher was in his grave."

But I know that, after what I have said of the Grand Criminal Court of Naples, I must have stirred up incredulity in the breast of any one accustomed to perceive in the judges of a country the very highest impersonation of the principles of honor and dispassionate equity. I do not then intend to urge that the judges of Naples are all monsters, but they are slaves. They are very numerous, very ill paid, and they hold their offices during pleasure. They are in general of far less eminence and weight, and of a lower moral standard, than the higher members of the Bar who plead before them. The highest salary of any person on the bench of judges is, I believe, 4000 ducats a year. Perhaps the eight judges who are now trying political prisoners by the hundred in Naples, may have among them about half the salary of one English Puisne Judge. But the main element in the case is, the tyrannical severity with which they are treated in case of their defeating the accusations brought by Government. Not, indeed, that acquittal in all cases signifies much. As the Government arrest and imprison without any warrant, or any charge; so, on the same broad and cherished principle of illegality, they think nothing of keeping men in prison after they have been first punished by some two or three years of imprisonment and terror, and then solemnly declared guiltless. For example, out of the forty-one* prisoners (reduced from forty-two by the death of Leipnecher)

* This number, I think, should be forty: the number acquitted, eight; the number condemned, thirty two.—Note, July 11, 1851.

whose cases were finally disposed of by the sentences of last February, six, I think, were acquitted; and the last I heard of those six persons, some time after their acquittal, was that they were all still in prison! Under these circumstances, it will perhaps excite no surprise that the judges escaped with impunity, in consideration of their having condemned thirty-five to punishments for the most part awfully severe. But woe be to the judges themselves if they baulk the main object of a prosecution. In Naples itself, I understand that a gentleman of eighty years of age, who had exercised the office of judge for half a century, was turned out upon the world a short time ago, for having acquitted the parties charged with having composed or published an obnoxious article in a newspaper. A more notorious case has recently happened at Reggio. A batch of prisoners were there brought to trial for some matter connected with the period of the ill-fated Constitution. They were acquitted; and the arm of vengeance descended upon the judges. After such an outrage on their part, the entire Court, as if an Augean stable, was swept clear. Two, I believe—probably the docile minority—had only a nominal deprivation, being classed as *disponibili*, and held qualified for new appointments, which, for all I know, they may now have received. But six judges, the offending majority, were mercilessly and absolutely dismissed. How can we be surprised that, with this perfection of discipline, the word of command should even by judges be readily obeyed?

Three of the forty-one prisoners in what I may call the Poerio case were condemned to death—Settembrini, Agresti, and Faucitano. Poerio himself was condemned to twenty-four years of irons. I believe the vote on him was as follows:—Three judges for acquittal; two for irons; three (including the delicate, scrupulous, and impartial mind of Navarro) for DEATH—on that testimony of Jervolino, which I have sufficiently described. The two latter sections then joined in voting for the lighter punishment, and thus the majority was obtained, one vote having been at first drawn off from the side of acquittal by the bullying process to which I have before referred, and which was fitly intrusted to the delicate, scrupulous, impartial, and generous Navarro.

A strange error is stated to have occurred. It seems that the

Neapolitan law humanely provides, that when three persons are found guilty capitally, the sentence can be pronounced only on one; but that this was forgotten by the judges, and only found out by the Procurator-General, or some other party, after they thought they had finished. I have even heard it stated that Settembrini and Agresti received, as of mercy, a reprieve, to which they were entitled as of right. As to Faucitano, I will not enter into details of what occurred at Caserta in the palace, but I have heard them, and minutely too; and there appears to me too good reason to believe that the threat of the withdrawal of certain useful support from the Government of Naples, and not humanity, dictated, at the last moment, the commutation of his punishment.

Now there is no doubt that the infliction of capital punishment, under judicial sentences, is extremely rare in the kingdom of Naples; but whatever capital punishment may be in other points of view, I do not hesitate to say it would be a refined humanity, in respect to the amount of suffering which it inflicts, in whatever form, through the agency of man, as compared with that which is actually undergone in sentences of imprisonment. Yet even on the severity of these sentences I would not endeavor to fix attention so much as to draw it off from the great fact of illegality, which seems to me to be the foundation of the Neapolitan system: illegality, the fountain-head of cruelty and baseness, and every other vice; illegality, which gives a bad conscience, that bad conscience creates fears, those fears lead to tyranny, that tyranny begets resentment, that resentment creates true causes of fear where they were not before; and thus fear is quickened and enhanced, the original vice multiplies itself with fearful speed, and old crime engenders a necessity for new.

I have spoken of Settembrini and his reputed and too credible torture; I come now to what I have either seen, or heard on the most direct and unquestionable authority.

In February last, Poerio and sixteen of the co-accused (with few of whom, however, he had had any previous acquaintance) were confined in the *Bagno* of Nisida near the Lazaretto. For one half-hour in the week, a little prolonged by the leniency of the superintendent, they were allowed to see their friends outside the prison. This was their sole view of the natural beauties with

which they were surrounded. At other times they were exclusively within the walls. The whole number of them, except I think one, then in the infirmary, were confined, night and day, in a single room of about sixteen palms in length by ten or twelve in breadth, and about ten in height; I think with some small yard for exercise. Something like a fifth must be taken off these numbers to convert palms into feet. When the beds were let down at night, there was no space whatever between them; they could only get out at the foot, and being chained two and two, only in pairs. In this room they had to cook or prepare what was sent them by the kindness of their friends. On one side, the level of the ground is over the top of the room; it therefore reeked with damp, and from this, tried with long confinement, they declared they suffered greatly. There was one window— of course unglazed—and let not an Englishman suppose that this constant access of the air in the Neapolitan climate is agreeable or innocuous; on the contrary, it is even more important to health there than here to have the means of excluding the open air, for example, before and at sunset. Vicissitude of climate, again, is quite as much felt there as here, and the early morning is sometimes bitterly cold.

Their chains were as follows. Each man wears a strong leather girth round him above the hips. To this are secured the upper ends of two chains. One chain of four long and heavy links descends to a kind of double ring fixed round the ancle. The second chain consists of eight links, each of the same weight and length with the four, and this unites the two prisoners together, so that they can stand about six feet apart. Neither of these chains is ever undone, day or night. The dress of common felons, which, as well as the felon's cap, was there worn by the late cabinet-minister of King Ferdinand of Naples, is composed of a rough and coarse red jacket, with trowsers of the same material—very like the cloth made in this country from what is called devil's dust; the trowsers are nearly black in color. On his head he had a small cap, which makes up the suit; it is of the same material. The trowsers button all the way up, that they may be removed at night without disturbing the chains.

The weight of these chains, I understand, is about eight rotoli,

or between sixteen and seventeen English pounds for the shorter one, which must be doubled when we give each prisoner his half of the longer one. The prisoners had a heavy limping movement, much as if one leg had been shorter than the other. But the refinement of suffering in this case arises from the circumstance that here we have men of education and high feeling chained incessantly together. For no purpose are these chains undone; and the meaning of these last words must be well considered; they are to be taken strictly.

Well, it may be thought, the practice is barbarous, and ought not to prevail; still, as it does prevail, it might be difficult to exempt these persons, although gentlemen, from it. But this, my Lord, is not the true explanation. On the contrary, it was for the sake of these very gentlemen that the practice of chaining two and two was introduced into the *Bagno* of Nisida. I was assured that two or three weeks before, among eight hundred prisoners in that *bagno* (which to the passer-by looks hardly bigger than a martello tower) these double irons were totally unknown; and there were many political offenders then there, but they were men of the lower class, to whom this kind of punishment would have been but a slight addition. But just about the time when Poerio and his companions were sent to Nisida, an order came from Prince Luigi, the brother of the King, who, as Admiral, has charge of the island, ordering that double irons should be used for those who had been brought into the prison since a certain rather recent date—I think July 22, 1850. Thus it was contrived to have them put on Poerio and his friends, and yet to have a plea, such as it is, for saying that the measure was not adopted with a view to their case, and to the extreme moral (as well as the not slight physical) suffering which it would secure for them. Among these, as I had already said, had been chained together the informer Margherita and one of his victims. Among these, I myself saw a political prisoner, Romeo, chained in the manner I have described, to an ordinary offender, a young man with one of the most ferocious and sullen countenances I have seen among many hundreds of the Neapolitan criminals.

The inspector of this prison, General Palomba, had, I was informed, never, or not for a very long time, visited it. But he had

come just before I was there; and it is impossible to avoid the inference that he came in order to make certain, that the orders for increased severity were not evaded or relaxed.

I had heard that the political offenders were obliged to have their heads shaved; but this had not been done, though they had been obliged to shave away any beard they might have had.

I must say I was astonished at the mildness with which they spoke of those at whose hands they were enduring these abominable persecutions, and at their Christian resignation as well as their forgiving temper, for they seemed ready to undergo with cheerfulness whatever might yet be in store for them. Their health was evidently suffering. I saw the aunt of one of these prisoners, a man of about eight and twenty, weep when she spoke of his altered looks, and of the youthful color but a few weeks before in his cheeks. I should have taken him for forty. I had seen Poerio in December, during his trial; but I should not have known him at Nisida. He did not expect his own health to stand, although God, he said, had given him strength to endure. It was suggested to him from an authoritative quarter, that his mother, of whom he was the only prop, might be sent to the King to implore his pardon, or he might himself apply for it. He steadily refused. That mother, when I was at Naples, was losing her mental powers under the pressure of her afflictions. It seemed as if God, more compassionate than her fellow-creatures, were taking them away in mercy, for she had, amidst her sorrow, trances and visions of repose: she told a young physician, known to me, that she had been seeing her son, and with him another person. The two were in different gaols, and she had seen neither.

Since I have left Naples, Poerio has sunk to a lower depth of calamity. He has been taken, I understand. from Nisida to Ischia, farther from public interest, and perhaps to some abode like the Maschio of Porcari. What I saw was quite enough. Never before have I conversed, and never probably shall I converse again, with a cultivated and accomplished gentleman, of whose innocence, obedience to law, and love of his country, I was as firmly and as rationally assured as of your Lordship's or that of any other man of the very highest character, whilst he stood before me amidst surrounding felons, and clad in the vile uniform of guilt

and shame. But he is now gone where he will scarcely have the opportunity even of such conversation. I cannot honestly suppress my conviction, that the object in the case of Poerio, as a man of mental power sufficient to be feared, is to obtain the scaffold's aim by means more cruel than the scaffold, and without the outcry which the scaffold would create.

It is time for me to draw to a close. I might, indeed, detail circumstances to show that language is used by the highest authority in Naples, demonstrating that attachment to the Constitution, that is the fundamental law of the State, is there regarded and punished as a crime; and again, to show that men, aye, ecclesiastics as well as laymen, are confessedly detained in prison there, not because they have committed crime, not because they are even suspected of it, but because it is thought that through their means may possibly be obtained at some future time, some imaginable information, tending to inculpate somebody else. But I will wind up this repulsive narration, with noticing a circumstance that too clearly shows what value is placed by those in power at Naples upon human life as such.

I have spoken of the Neapolitan prisons. It appears that, not long ago, exasperated by the treatment they received, the inmates of the State prison of Procida revolted, and endeavored to gain possession of the prison. The mode of quelling this revolt was as follows. The soldiers in charge of them threw hand-grenades among them, and killed them to the number of one hundred and seventy-five. In this number were included seventeen invalids in the infirmary, who had no part in the revolt. I have been told that, for perpetrating this massacre, the serjeant who commanded the troops was decorated with, and may now be seen wearing, a military order. I refer to this incident without forgetting that a revolt or riot in a prison is a formidable thing, and requires strong measures; but with the overwhelming force everywhere at the command of the Executive power, and with the mild character of Neapolitans, even as criminals, taken into view, no one will believe that there was the slightest call for this wholesale slaughter.

Enough, it seems to me, has now been said to show that there are the strongest reasons for believing that, under the veil of secrecy, which covers the proceedings of the Government of Naples,

there lie hid the gigantic horrors, to which I have alluded as afflicting that country, desolating the entire classes upon which the life and growth of the nation depend, undermining the foundation of all civil rule, and preparing the way for violent revolution by converting the Power, which is set up in human societies to mintain law and order, and to defend innocence and punish crime, into the grand law-breaker and malefactor of the country; the first in rank among oppressors, the deadly enemy of freedom and intelligence, and the active fomenter and instigator of the vilest corruption among the people.

While I speak thus freely and strongly of the acts of the Neapolitan Government, I have deliberately refrained (with the exception of certain clear cases) from any attempt to point out the agents, or to distribute or fix the responsibility. Beyond the limits I have named I know not, and have not the desire to know, to whom it belongs. I am aware that, although the Sovereign be the effective governor of the country, an impenetrable veil may pass between his eyes and the actual system of means by which this main department of his Government is worked; I know it to be the belief of some persons that this is actually the case; I must add that I am acquainted with an instance of a direct and unceremonious appeal to the King's humanity, which met with a response on his part evidently sincere; although, according to the latest accounts I have received, his intentions have as yet been thwarted by other influences, and have not taken practical effect.

And now, my dear Lord, I conclude, as I began, with expressing my gratitude to you for allowing me to place this letter in your hands. But for this permission, I might have found myself wholly without the means of putting any such engine into operation as would offer me the least hope of quietly producing a salutary effect upon the proceedings of the Neapolitan Government. I took leave, indeed, of Naples, with a fixed resolution to strain every nerve for effecting that purpose, and for effecting it with promptitude. But I am very sensible of the hazards attending any appeal to the public opinion of this and other countries, and how such an appeal, if strong enough to be effective, must also be so strong as to run some risk of quickening the action of the

elements of social and political disorder. I freely own that my sense of the actual evils pressing upon the Neapolitan people, of the other and opposite evils which these are rapidly engendering, and of the obligations arising out of the whole, is so deep and so intense, that I must, but for the expectation of some prompt and marked signs of improvement, to be brought about through the channels which your just personal weight will, as I trust, open for me, have at once encountered the hazards of publicity, whatever they might be, as I might still, in contingencies I am unwilling to contemplate, be compelled to encounter them.

But this I must add. Into some one or more particulars of the statements I have made, error of form, and even error of fact, may have crept. I am prepared for the possibility, that if those statements should in any manner reach the persons whose conduct they principally concern, they may be met with general denial, and that denial may even be supported and accredited with some instance or instances of apparent, nay, possibly of real confutation. I now state that I cannot and shall not entail upon your Lordship the charge of handing to and fro replications and rejoinders. I will not discuss the correctness of my statements with those who alone are likely to impugn them, because I cannot do it upon equal terms. First, inasmuch as in Naples secrecy is the almost universal rule of the proceedings of Government, and the perfect servitude of the press cuts off the means of sifting controverted matter, and thus the ordinary avenues to truth. Secondly, because my entering upon such details would infallibly cause unjust suspicion to light upon individuals, and would thus at once give rise to further persecutions. Thirdly, and even most of all, because I am so entirely certain of the accuracy of my statements in the general picture they present, and the general results to which they lead, as to feel that they are beyond *bonâ fide* dispute, and that to engage in any such dispute would be to postpone, perhaps indefinitely, the attainment of the practical ends which I propose to myself the hope of gaining. I have the less scruple in attaching my own credit to them, because I am convinced that as a whole they are within the truth. Not in one word or syllable, of course, have I consciously heightened the coloring of the case beyond the facts; I have omitted much, which even my short residence in

Naples forced upon my knowledge; I have endeavored to avoid multiplicity of detail, and have referred particularly to the case of Poerio, not because I have the slightest reason to believe it more cruel or wicked than others, but because I was able to follow it somewhat better through its particulars, and because it is one which will more readily than most others attract interest out of his own country. *Crimine ab uno disce omnes.* It is time that either the veil should be lifted from scenes fitter for hell than earth, or some considerable mitigation should be voluntarily adopted. I have undertaken this wearisome and painful task, in the hope of doing something to diminish a mass of human suffering as huge, I believe, and as acute, to say the least, as any that the eye of heaven beholds. This may, as I fondly trust, be effected, through your Lordship's aid, on the one hand without elusion or delay, on the other without the mischiefs and inconveniences which I am fully sensible might, nay, in some degree must, attend the process, were I thrown back on my own unaided resources.

I remain, my dear Lord Aberdeen,

Most sincerely yours,

W. E. GLADSTONE.

The Earl of Aberdeen, K. T., &c., &c., &c.

LETTER II.,

&c. &c.

My dear Lord Aberdeen,

The letter, of which this contains the sequel, was of a personal and private nature; and was addressed to you with the ardent and even sanguine hope, that it need never have to bear any other character. I had such a conviction of the general truth and strength of the statements it contained, and of the extreme urgency of the case, and I knew so well, as indeed all men know, the just weight attaching to your Lordship's name, even while you act in a personal and private capacity alone, that when at my request you consented to make my representations known in those quarters to which it appeared most desirable to resort, my mind was disburdened of a heavy weight, and I cheerfully anticipated some such practical consequences as, even if small in themselves, might, notwithstanding, by their character, have encouraged and justified a patient waiting for more considerable results from farther and more mature deliberation.

It was in itself a thing so reasonable, that private representation and remonstrance should in the first instance be attempted, that I cannot regret the course that was taken, though it entailed the serious delays required for your own mature consideration of the case, and for making it known in those other spheres to which I have referred. But the manner in which it had been received in the quarter directly affected by my allegations, had entirely convinced me that it would not be warrantable to trust any longer in this case to the force of mere expostulation, before, driven from the definite hopes, which I had founded upon your assistance, I committed my first letter to the press. I wish, however, to make it clearly understood, that I am alone responsible for that proceeding.

I have felt it, then, my bounden duty to remit my statements by publication to the bar of general opinion—of that opinion which circulates throughout Europe with a facility and force increasing from year to year, and which, however, in some things it may fall short or in others exceed, is, so far at least, impregnated with the spirit of the Gospel, that its accents are ever favorable to the diminution of human suffering.

To have looked for any modification whatever of the reactionary policy of a government, in connection with a moving cause so trivial as any sentiments or experience of mine, may be thought presumptuous or chimerical. What claim, it may be asked, had I, one among thousands of mere travellers, upon the Neapolitan Government? The deliberations which fix the policy of States, especially of absolute States, must be presumed to have been laborious and solid in some proportion to their immense, their terrific power over the practical destinies of mankind; and they ought not to be unsettled at a moment's notice in deference to the wishes or the impressions of insignificant, or adversely prepossessed, or at best irresponsible individuals.

My answer is short. On the Government of Naples I had no claim whatever; but as a man I felt and knew it to be my duty to testify to what I had credibly heard, or personally seen, of the needless and acute sufferings of men. Yet, aware that such testimony, when once launched, is liable to be used for purposes neither intended nor desired by those who bear it, and that in times of irritability and misgiving, such as these are on the Continent of Europe, slight causes may occasionally produce, or may tend and aid to produce, effects less inconsiderable, I willingly postponed any public appeal until the case should have been seen in private by those whose conduct it principally touched. It has been so seen. They have made their option; and while I reluctantly accept the consequences, their failing to meet it by any practical improvement will never be urged by me as constituting an aggravation of their previous responsibilities.

It may, again, disappoint some persons that I should now simply appear in my personal capacity through the press, instead of inviting to this grave and painful question the attention of that House of Parliament to which I have the honor to belong. To

such I would say, that I have advisedly abstained from mixing up my statements with any British agencies or influences which are official, diplomatic, or political. I might indeed, by thus associating them with the interests of parties or individuals, have obtained for them an increased amount of favorable attention; but I might on the other hand have arrayed against my representations, and against what I believe to be the sacred purposes of humanity, the jealousies of those connected with other European States; and, in the kingdom of the two Sicilies itself, those laudable sentiments of national independence, which lie at the root of patriotism. I should in effect have caused, if not made, a fundamental misrepresentation of the whole case. The claims, the interests which I have in view are not those of England. Either they are wholly null and valueless, or they are broad as the extension of the human race, and long-lived as its duration. It might, indeed, be better to obtain some partial redress of these grievances through the political influence and power of this country, than to remain wholly without it: but I am so deeply sensible of the evils attendant, under the circumstances of the case, upon that mode of proceeding, and upon its tendency to multiply the number and enhance the force of obstructive and even counteracting causes, that I deliberately abstain from appealing to the generous sympathies, with which I am certain the British Parliament would meet the statement of such a case; and if the case shall penetrate within those precincts, it will be by no agency, encouragement, or assent of mine.

Upon reviewing and reconsidering the terms of the letter addressed by me to your Lordship on the 7th of April, I find in them a warmth which may be open to criticism, but which then appeared, and still appears, to me to be generally justified by the circumstances of the case. I find a great variety of allegations which will excite horror and indignation in some, incredulity in others, surprise in most: but which few will pass by with indifference. I find these strong statements made with the avowal on my part, that there are many of them which it has been impossible for me to verify with precision in their detail; because the ordinary sources of information are closed; because statements when received cannot, at Naples, be subjected to the test of free discussion;

and because the supposition once entertained against a Neapolitan that he conveyed to any one, especially to an Englishman (perhaps I might add especially, even as among Englishmen, to myself) ideas or intelligence unfavorable to the Government, would have marked him out as the object of the spy, and the victim of the informer. I stand now, as I stood then, upon the conviction that my general representation is not too highly charged; upon the consciousness that I have done all that could be done to attain to accuracy in detail; upon the fact that perhaps the most disgraceful circumstances are those which rest upon public notoriety, or upon my own personal knowledge; and upon the assurance I have too good reason to entertain, that any attempt on my part to confer habitually with Neapolitan subjects, or to conduct any regular search for information through their means, or any indication, direct or indirect, of any individuals among them as the sources from which I have derived my knowledge and impressions, would be fatal to their personal liberty and happiness.

But I do not stand upon these grounds alone. My assurance of the general truth of my representations has been heightened, my fears of any material error in detail have been diminished, since the date of my first letter, by the negative but powerful evidence of the manner in which they have been met. Writing in July, I have as yet no qualification worth naming to append to the allegations which I first put into shape in April. I am indeed aware, that my opinion with respect to the number of political prisoners in the kingdom of the Two Sicilies has been met by an assertion, purporting to be founded on returns, that instead of twenty thousand they are about two thousand. Even this number has not always been admitted; for I recollect that in November last they were stated to me, by an Englishman of high honor and in close communication with the Court, to be less than one thousand. I have carefully pointed out, that my statement is one founded on opinion: on reasonable opinion as I think, but upon opinion still. Let the Neapolitan Government have the full benefit of the contradiction I have mentioned. To me it would be a great relief, if I could honestly say it at once commanded my credence. The readers of my letters will not be surprised at my hesitation to admit it. But this I would add: the mere number

of political prisoners is in my view, like the state of the prisons, *in itself*, a secondary feature of the case. If they are fairly and legally arrested, fairly and legally treated before trial, fairly and legally tried, that is the main matter. Where fairness and legality preside over the proceedings, we need have no great fear about an undue number of prisoners. But my main charges go to show that there is gross illegality and gross unfairness in the proceedings; and it is only in connection with the proof of this, that the number of prisoners and the state of the prisons come to be matters of such importance.

It will have been remarked in my former letter that I have spoken of what I myself saw in the Neapolitan prisons, and even in a few cases of what I heard from prisoners. I think it necessary to state the motive which led me to seek entrance there. It was not an idle curiosity, but an impression of the duty incumbent upon me to be an eye-witness, so far as was in my power, to the facts, before deciding upon any ulterior step. It is likewise a sacred obligation that I should state that those unfortunate persons are in no sense or degree responsible for my having visited their melancholy abodes, nor were they in any manner privy or auxiliary to it, or to anything I have said or done, before or subsequently. If they have since been subjected, as has been reported to me, to an increase of suffering and hardship, that increase can derive no justification from any such act or knowledge of theirs. It is right too for me to add that when I refer to their views or statements concerning the trials, I simply quote from printed records which I obtained without their aid or knowledge. If a measure taken by me simply and solely to get at the truth, by the only means which were open to me, should have resulted in the aggravation of the condition of innocent men, it does but afford another proof of the miserable tendency of tyranny, like every other evil, to multiply and reproduce itself. We call necessity the tyrant's plea, and such it is; but it is not a plea only, it is a reason: it is a hard and cruel task-mistress; and the wilful abuse of our high faculty of choice for the purposes of evil, soon brings about a state of things in which common violation is well nigh superseded, and a resolution almost heroic is required to arrest the fatal course.

I do not intend to add to the statements of fact contained in my last letter, though they are but a portion, and not always the most striking portion, of those which I might have produced. One reason of this is, that they are, as I think, sufficient for their purpose; and another, that by a different course I should probably put in jeopardy, not indeed the persons who made them to me, but those whom the agents of the police might suppose, or might find it convenient to pretend that they supposed, to have so made them.

My chief purpose at present is, to sustain the general probability of my statements, by a reference to unquestionable facts, which have occured both in other parts of Italy and in Naples itself; facts such as exhibit a state of things to us most difficult to believe or even to apprehend, but there, alas! too familiar and too true.

That my statements should be received in the first instance with incredulity, can cause me no dissatisfaction. Nay, more: I think that, for the honor of human nature, statements of such a kind ought to be so received. Men ought to be slow to believe that such things can happen, and happen in a Christian country, the seat of almost the oldest European civilization. They ought to be disposed rather to set down my assertions to fanaticism or folly on my part, than to believe them as an over true tale of the actual proceedings of a settled government. But though they ought to be thus disposed at the outset, they will not, I trust, bar their minds to the entrance of the light, however painful be the objects it may disclose. I have myself felt that incredulity, and wish I could have felt it still; but it has yielded to conviction step by step, and with fresh pain at every fresh access of evidence. I proceed accordingly to bring the reader's mind, so far as I am able, under the process through which my own has passed, and to state some characteristic facts, which may convey more faithfully than abstract description an idea of the political atmosphere of Italy.

For example, I have within the last few lines spoken of the Neapolitan police in such a manner as I should be sorry to apply in most countries to those classes which a police, according to our notions, is appointed specially to coerce. Among ourselves the police constable is, as such, the object of general respect; tradi-

tion suggests, and the conduct of the body confirms, this feeling; nor have we at present a word in use to describe the character, which conveys any unfavorable idea. But in the Italian tongue he is a *sbirro* or a *sgherro*, words which carry the united idea of degradation in the person described, and loathing in those who utter them: words, too, which it is impossible to render perfectly into English. And now, having spoken of the way in which others think of them, let us give a specimen of the manner in which the Italian police officer estimates himself. I take my example from Lombardy; yet I am very far from implying that the police of that country has sunk to the level of the corresponding class in Naples.

There was lately a well-known officer of police in Milan, named Bolza. In the time of the Revolution of 1848 the private notes of the Government on the character of its agents were discovered. Bolza is there described as a person harsh, insincere, anything but respectable, venal, a fanatical Napoleonist until 1815, then an Austrian partizan of equal heat, "and to-morrow a Turk, were Soliman to enter upon these States;" capable of anything for money's sake against either friend or foe. Still, as the memorandum continues, "he understands his business, and is right good at it. Nothing is known of his morals or of his religion." But a work published at Lugano contains his last will, and this curious document testifies to the acute sense which even such a man retained of his own degradation. "I absolutely forbid my heirs," he says, "to allow any mark, of whatever kind, to be placed over the spot where I shall be interred: much more any inscription or epitaph. I recommend my dearly beloved wife to impress upon my children the maxim that, when they shall be in a condition to solicit an employment from the generosity of the Government, they are to ask for it elsewhere than in the department of the executive police: and not, unless under extraordinary circumstances, to give her consent to the marriage of any of my daughters with a member of that service."*

I shall next name two facts which are related by Farini, the recent and esteemed writer of a History of the States of the

* Gualterio, Gli ultimi Rivolgimenti Italiano, vol i. p. 431, *note*.

Church since 1815 :—" There exists a confidential circular of Cardinal Bernetti, in which he orders the Judges, in the case of Liberals charged with ordinary offences or crimes, invariably to inflict the highest degree of punishment."*

Bernetti was not an Austrian partizan: it is alleged that he was supplanted (early in the reign of Gregory XVI.) through Austrian influence. His favorite idea was the entire independence of the Pontifical State; and therefore the circular to which I have referred is purely Italian.

This was under Gregory XVI. Under Leo XII., Cardinal Rivarola went as legate *a latere* into Romagna. On the 31st of August, 1825, he pronounced sentence on five hundred and eight persons. Seven of these were to suffer death. Forty-nine were to undergo hard labor for terms varying between ten years and life. Fifty-two were to be imprisoned for similar terms. These sentences were pronounced privately, at the simple will of the Cardinal, upon mere presumptions that the parties belonged to the liberal sects; and, what is to the ear of an Englishman the most astounding fact of all, after a process simply analagous to that of a Grand Jury (I compare the process, not the persons), and without any opportunity given to the accused for defence! †

I may add a reference to an edict published by the Duke of Modena on the 18th of April, 1832. This edict ordains that political prisoners may be sentenced to any punishment materially less than that provided by law upon proof of the offence, without any trial or form of proceeding whatever, in cases where it has been agreed not to disclose the names of the witnesses, or not to make known the purport of their evidence. With these reduced punishments exile was to be ordinarily combined: and fines, as well as other appendages, might be added at discretion! The edict may be seen in the notorious newspaper called *La Voce della Verita*, No. 110.

Having now recited a few circumstances illustrative of the machinery by which, and of the principles on which, an Italian Government has sometimes been conducted, I proceed to set forth

* Farini, Lo Stato Romano, vol. 1. p. 77, book i. chap. v., *note*.

† Ibid., chap. ii.

some material points connected with the political position of the present Government of Naples. In my first letter, while expressing an anxiety to avoid the discussion of the subject, I likewise intimated that some reference to it was necessary, in order to make the present policy comprehensible. *Nemo repente fuit turpissimus;* and no such extremities of fear, cruelty, and baseness as it has been my irksome duty to describe, could be reached by any Government but one already unmanned by a bad conscience, and driven on by necessity to cover old misdeeds by heaping new ones on them.

In the month of January, 1848, a Constitution was granted to the kingdom of Naples. It was proclaimed and sworn to by the monarch amidst every circumstance of solemnity, and the universal joy of the people. Liberatore, one of the Jesuits of Naples, in a sermon delivered on the 15th of April, 1848, says: "The sovereign has shown himself neither obstinately tenacious, nor precipitately pliable. He procrastinated, nay, repelled, until it was demonstrated, that the demand proceeded from the universal desire of a people, and not from the isolated assumptions of a party: he deigned to accede with joy, when it was still in his power to resist; thus it plainly appeared, that he took the step not through violence or from apprehension, but of his own free and sagacious will."*

On the 15th of May came the struggle, of which the origin is described in the most opposite colors by persons of opposite sentiments. It ended, however, in the unquestionable and complete victory of the King and the troops: and I will now quote the words in which the triumphant monarch reiterates his assurances in regard to the Constitution:

"NEAPOLITANS!

"Profoundly afflicted by the horrible calamity of the 15th of May, Our most lively desire is to mitigate, as far as possible, its consequences. It is Our most fixed and irrevocable will to maintain the Constitution of the 10th of February, pure and free from the stain of all excess. As it is the only one compatible with the

* Napoli e la Constituzione, Stamperia del Fibreno, Strada Trinita Maggiore, No. 26, 1848.

true and immediate wants of this portion of Italy, so it will be the sacrosanct altar, upon which must rest the destinies of Our most beloved people and of Our crown.

"Resume, then, all your customary occupations: confide with the utmost fulness of your hearts in Our good faith, in Our sense of religion, and in Our sacred and spontaneous oath."*

I now proceed to give extracts from this Constitution. It opens thus; and I request particular attention to its very solemn preamble:

"With reference to Our Sovereign Act of the 29th of January, 1848, by which, concurring with the unanimous desire of Our most beloved subjects, We have promised, of Our own full, free, and spontaneous will, to establish in this Kingdom a Constitution, conformable to the civilization of the times, whereof we then indicated, by a few rapid strokes, the fundamental bases, and reserved our ratification of it till it should be set out and arranged in its principles, according to the draft which Our present Ministry of State was to submit to Us within ten days' time;

"Determined to give immediate effect to this fixed resolution of Our mind;

"In the awful Name of the Most Holy and Almighty God, the Trinity in Unity, to whom alone it appertains to read the depths of the heart, and whom We loudly invoke as the judge of the simplicity of our intentions, and of the unreserved sincerity with which We have determined to enter upon the paths of the new political order;

"Having heard, with mature deliberation, Our Council of State;

"We have decided upon proclaiming, and we do proclaim, as irrevocably ratified by Us, the following Constitution."

Then follow the particular provisions, of which I need only cite four for the present purpose:

"Art. I. The kingdom of the Two Sicilies shall be from henceforward subject to a limited, hereditary, constitutional monarchy, under representative forms.

* Farini, book iii., chap. viii.

"Art. IV. The legislative power resides jointly in the King, and in a National Parliament, consisting of two Chambers, the one of Peers, the other of Deputies.

"Art. XIV. No description of impost can be decreed, except in virtue of a law: communal imposts included.

"Art. XXIV. Personal liberty is guaranteed. No one can be arrested, except in virtue of an instrument proceeding in due form of law from the proper authority; the case of flagrancy, or quasi-flagrancy, excepted. In the case of arrest by way of prevention, the accused must be handed over to the proper authority within the term at farthest of twenty-four hours, within which also the grounds of his arrest must be declared to him." *

Those who wish for detail may consult the histories of these events; † I shall only sketch the actual state of things.

In regard to Article I.; the monarchy of Naples is perfectly absolute and unlimited.

In regard to Article IV.; there exists no Chamber of Peers or Chamber of Deputies.

In regard to Article XIV.; all the taxes are imposed and levied under royal authority alone.

In regard to Article XXIV.; persons were arrested by the hundred, while I was in Naples, a little before last Christmas, without any legal warrant whatever, and without the slightest pretext of flagrancy or quasi-flagrancy: they were not handed over to the competent authority within twenty-four hours, or even at all, and were detained in the most rigorous confinement by the police, without any reference whatever to the Courts, and without any communication to them whatever of the grounds of their arrest.

Such is the state of facts in respect to the origin of the Neapolitan Constitution, to its terms, and to the present actual conduct of the Government of the country, in contradiction and in defiance, at every point, of its indisputable fundamental law.

It will be too clearly seen how such a relation between the law

* La Costituzione politica del Regno di Napoli, presso Gaetano Nobile, Strada Toledo, No. 166, 1849.

† Such as Massari's Casi di Napoli, Torino, 1849. Massari is an ex-deputy.

of a country and the acts—not the occasional, but the constant and most essential acts of its Government—throw light upon the distressing, and at first sight scarcely credible, allegations of my first letter.

But I have yet another source of evidence which I am bound to open: one which illustrates in a form the most painful and revolting, the completeness, the continuity, the perfect organization of the system which I have thought it my duty to endeavor, according to my limited ability, to expose and to denounce.

I need hardly observe, that in the kingdom of Naples both the press, and the education of the people, are under the control of the Government: and that, setting aside the question how far points of conflicting interest with the Church may be an exception, nothing is taught or printed there, unless with its sanction, and according to its mind.

I am going to refer to and quote from a work, one of the most singular and detestable that I have ever seen. It is called the *Catechismo Filosofico, per uso delle Scuole Inferiori:* and the motto is, '*Videte ne quis vos decipiat per philosophiam.*' I have two editions of of it; one bearing as follows: *Napoli presso Raffaele Miranda. Largo delle Pigne, No.* 60. 1850. The other is part of a series called '*Collezione di buoni Libri a favore della Verita e della Virtu. Napoli, Stabilimento Tipografico di A. Fester, Strada Carbonara, No.* 104. 1850. I am thus particular, because I feel that if I were not so, I might now once more raise the smile of a not irrational incredulity.

The doctrine of the first chapter is, that a true philosophy must nowadays be taught to the young, in order to counteract the false philosophy of the liberals, which is taught by certain vicious and bad men, desirous to make others vicious and bad like themselves. The notes of these liberal philosophers are then enumerated: and one of them is "disapproval of the vigorous acts of the legitimate authorities." They produce, it is taught, all manner of evils, especially the eternal damnation of souls. The pupil then asks with great simplicity of his teacher, not whether all liberals are wicked, but "whether they are all wicked in one and the same fashion?" And the answer is—

"Not all, my child, because some are thorough-paced and

wilful deceivers, while others are piteously deceived: but notwithstanding, they are all travelling the same road: and if they do not alter their course, they will all arrive at the same goal."

The plain meaning, as I read it is, that those who hold what in Naples are called liberal opinions (and many who are included in the name there, would not be so designated here), even in the more innocent form of the mere victims of deceit, will, unless they abandon them, be lost eternally on account of those opinions.

The next question of the scholar is, whether all who wear moustaches or a beard are liberal philosophers!

In subsequent chapters the scholar is instructed in the true nature of Sovereign power. The author plainly denies all obligation to obey the laws in a democracy: for he says it would be essentially absurd, that the governing power should reside in the governed; and therefore God would never give it them. In the United States, accordingly, there would be no Sovereign power. Thus is the most revolutionary and anarchical doctrine propagated under the pretexts of loyalty and religion.

The Sovereign power, we are here taught, is not only Divine (which I shall never quarrel with an author for asserting), but unlimited: and not only unlimited in fact, but unlimited from its own nature and by reason of its Divine origin. And now we come near the gist of the whole book, for the sake of which it is that Philosophy has been brought down by the Neapolitan sages from high heaven to the level of "inferior schools." This power of course, cannot be limited by the people, for their duty is simply to obey it:—

"*Scholar.*—Can the people of itself establish fundamental laws in a State?

"*Master.*—No: because a Constitution, or fundamental laws, are of necessity a limitation of the Sovereignty: and this can never receive any measure or boundary except by its own act: otherwise it would no longer constitute that highest and paramount power, ordained of God for the well-being of society."*

And now I shall continue to translate: the whole matter will repay perusal, and it will be seen that the express and not mis-

* Chap. vii.

takeable features of the Neapolitan case are carefully described and fully met in the abominable doctrines here inculcated:—

"*S.*—If the people, in the very act of electing a Sovereign, shall have imposed upon him certain conditions and certain reservations, will not these reservations and these conditions form the Constitution and the fundamental law of the State?

"*M.*—They will, provided the Sovereign shall have granted and ratified them freely. Otherwise they will not; because the people, which is made for submission and not for command, cannot impose a law upon the Sovereignty, which derives its power not from them, but from God.

"*S.*—Suppose that a Prince, in assuming the Sovereignty of a State, has accepted and ratified the Constitution, or fundamental law, of that State; and that he has promised OR SWORN to observe it; is he bound to keep that promise, and to maintain that Constitution and that law?

"*M.*—He is bound to keep it, provided it does not overthrow the foundations of Sovereignty: *and provided it is not opposed to the general interests of the State.*

"*S.*—Why do you consider, that a Prince is not bound to observe the Constitution, whenever this impugns the rights of Sovereignty?

"*M.*—We have already found, that the Sovereignty is the highest and supreme power, ordained and constituted by God in society, for the good of society; and this power, conceded and made needful by God, must be preserved inviolate and entire; and cannot be restrained or abated by man, without coming into conflict with the ordinances of nature, and with the Divine Will. Whenever, therefore, the people may have proposed a condition which impairs the Sovereignty, and whenever the Prince may have promised to observe it, that proposal is an absurdity, that promise is null; and the Prince is not bound to maintain a Constitution which is in opposition to the Divine command, but is bound to maintain entire and intact the supreme power established by God, and by God conferred on him.

"*S.*—And why do you consider that the Prince is not bound to maintain the Constitution, when he finds it to be contrary to the interests of the State?

"*M.*—God has appointed the supreme power for the good of

society. The first duty, then, of the person who may have been invested with it, is the duty of promoting the good of society. If the fundamental law of the State be found adverse to the good of the State, and if the promise given by the Sovereign to observe that fundamental law would oblige him to promote what is detrimental to the State, that law becomes null, that promise void: because the general good is the object of all laws, and to promote that good is the main obligation of Sovereignity. Suppose a physician to have promised, AND SWORN, to his patient, that he would bleed him; should he become aware that such letting blood would be fatal, he is bound to abstain from doing it: because, paramount to all promises and oaths, there is the obligation of the physician to labor for the cure of his patient. In like manner, should the Sovereign find that the fundamental law is seriously hurtful to his people, he is bound to cancel it; because in spite of all promises and all constitutions, the duty of the Sovereign is his people's weal. In a word, an OATH never can become an obligation to commit evil; and therefore cannot bind a Sovereign to do what is injurious to his subjects. Besides, the Head of the Church has authority from God to release consciences from oaths, when he judges that there is suitable cause for it."

And now comes the keystone of the arch, which makes the whole fabric consistent and complete, with all the consistency and the completeness that can belong to fraud, falsehood, injustice, and impiety:—

"*Scholar.*—Whose business is it to decide when the Constitution impairs the rights of Sovereignty, and is adverse to the welfare of the people?

"*Master.*—It is the business of the Sovereign; because in him resides the high and paramount power, established by God in the State, with a view to its good order and felicity.

"*S.*—May there not be some danger, that the Sovereign may violate the Constitution without just cause, under the illusion of error, or the impulse of passion?

"*M.*—Errors and passions are the maladies of the human race: but the blessings of health ought not to be refused through the fear of sickness?"

And so forth. I will not go through all the false, base, and

demoralizing doctrines, sometimes ludicrous, but oftener horrible, that I find studiously veiled under the phrases of religion in this abominable book: because I do not desire to produce merely a general stir and indignation in the mind, but with the indignation a clear and distinct, and so far as may be, a dispassionate view, of that object which is its moving cause. I say, then, that here we have a complete systematized philosophy of perjury for monarchs, exactly adapted to the actual facts of Neapolitan history during the last three and a half years, published under the sanction, and inculcated by the authority, of a Government, which has indeed the best possible title to proclaim the precept, since it has shown itself a master in the practice.

This Catechism bears no name: but it is described to me as the work of an ecclesiastic whom I forbear to designate, since pointing him out is not necessary for my purpose: suffice it to say, he is, or was, at the head of the Commission of Public Instruction. He dedicates his production "to the Sovereigns, the Bishops, the Magistracy, the teachers of youth, and all the well-disposed." In this dedicatory Address, he announces that the Sovereign authority will enjoin, that the elements of civil and political philosophy be taught in all the schools: and be taught, too, from this one single book, lest the purity of the doctrine should otherwise be corrupted: that the teachers are to be closely watched, lest they should neglect this duty, and that none of them are to have the annual renewal of their office, except upon proof of having observed it, that so "this book may be multiplied in a thousand shapes, and may circulate in the hands of all, and the Catechism of the philosopher may become the personal accomplishment of all the young, and may invariably follow close upon the Catechism of the Christian."

Of course, peculiar care is to be taken that no one shall make his way into holy orders without having imbibed this necessary knowledge.

"The Bishops will find means to circulate it in their seminaries, to prescribe it to their clerks, to recommend it to the parish priests, to cause it to become the food of the people, and to fix that in all examinations men shall be questioned upon the doctrines of political philosophy, just as they are questioned upon those of Chris-

tian belief and conduct, inasmuch as no one without being a good citizen and a good subject can be a good Christian!"

There is daring, if not grandeur, in this conception. A broken oath; an argument spun from laborious brains to show that the oath ought to be broken; a resolution to pre-occupy all minds, in the time of their tender and waxen youth, and before the capacity of thought, with this argument: no more cunning plot ever was devised, at least by man, against the freedom, the happiness, the virtue of mankind.

Here the author modestly ends with the declaration, "I have planted, Apollos watered, but God hath given the increase." And it is time for us to end also. We have thus seen Perjury, the daughter of Fraud, the mother of Cruelty and Violence, stalk abroad in a Christian kingdom under the sanction of its Government; and have heard her modestly make for herself a claim (which, as I am informed, has been fully allowed) that her laws shall be expounded in every school throughout the country, coincident in extension, and second only, if second, in dignity, to the Catechism of the Christian Faith.

I have now done my best to supply the reader with the illustration and collateral evidence which seemed necessary in order to his forming a correct judgment upon the charges, so harsh and strange in sound, which I have been compelled to make against the present policy of the Government of Naples in regard to State prosecutions.

For contradictions, again I say, I have to look: but to such contradictions as are not subject to be verified, cross-examined, or exposed, I must decline to attend. Confutation, I am now convinced, except in small details, is impossible, with respect to my statements of fact. Would to God that that unhappy Government —and any other, if indeed there be any other, like it—may be wise in time, before outraged humanity shall turn on the oppressor, and the cup of Divine retribution overflow. If we are to quote Scripture, here is my text—"Now for the comfortless troubles' sake of the needy, and because of the deep sighing of the poor; I will up, saith the Lord, and will help every one from him that swelleth against him, and will set him at rest." (Ps. xii. 5, 6).

And would to God on the other hand, that, if there shall be

shown a disposition to purge out abomination and temper excess, and steadily and honestly, though gradually, to bring about a better state of things, then, such a disposition may be met with forbearance and goodwill, with the chastening of too eager expectations, with full recollection of difficulties and allowance for them, and with an earnest readiness to forgive and to forget.

There are two possible inferences from what I have written, against which I must endeavor to guard. The first is this: some will say, all these abuses and disgraces are owing to the degradation of the people. I do not deny that there is some share of what we think degradation there; nor can it be wondered at, when we consider from what source the polluted waters of fraud and falsehood flow; but this I say, that the Neapolitans are over harshly judged in England. Even the populace of the capital is too severely estimated; the prevailing vices lie on the surface, and meet the eye of every one; but we scarcely give them the credit they deserve for their mildness, their simplicity, their trustfulness, their warm affection, their ready anxiety to oblige, their freedom from the grosser forms of crime. What will be said in England, when I mention, upon authority which ought to be decisive, that during four months of the Constitution, when the action of the police, too, was much paralysed, there was not a single case of any of the more serious crimes in Naples among four hundred thousand people?

We do a fresh injustice when we extend to the various classes of the community, and to the inhabitants of all the provinces, the estimate too hastily formed even of the populace of Naples. Perhaps the point in which they are most defective is that of practical energy and steady perseverance in giving effect to the ideas, with which their high natural intelligence abundantly supplies them. But, while they seem to me most amiable for their gentleness of tone, and for their freedom from sullenness and pride, they are, I must say, admirable in their powers of patient endurance, and for the elasticity and buoyancy, with which in them the spirit lives under a weight that would crush minds of more masculine and tougher texture, but gifted with less power of reactive play.

One other word. I write at a moment when public feeling in this country is highly excited on the subject of the Roman Catholic Church, and I must not wilfully leave room for extreme inferences

to the prejudice of her clergy in the kingdom of Naples, which I know or think to be unwarranted by the facts. That clergy, no doubt, regular and secular, is a body of mixed character, which I am not about to attempt describing; but it would, in my opinion, be unjust to hold them, as a body, to be implicated in the proceedings of the Goverment. A portion of them, beyond all question, are so. I am convinced, from what has reached me, that a portion of the priests make disclosures from the confessional for the purposes of the Government; and I have known of cases of arrest immediately following interviews for confession, in such a manner that it is impossible not to connect them together. But, on the other hand, there are many of the clergy, and even of the monks, who are among the objects of the persecution I have endeavored to describe. The most distinguished members of the celebrated Benedictine convent of Monte Casino, have for some time past been driven from the retreat, to which they had anew given the character of combined peace, piety, and learning. Several of them were in prison when I was at Naples; others not in actual confinement, but trembling, as a hare trembles, at every whisper of the wind. One was in prison for liberal opinions; another for being the brother of a man of liberal opinions. There was no charge against these men, but the two brothers were confined because it was thought that through the first of them might possibly be learned something against some other suspected person or persons. Among the arrests in December last, there were, I believe, between twenty and thirty of the clerical order. It may indeed be, and perhaps is, true that the greater part of the whole body stand by and look on, without any sympathy, or at least any effective sympathy, for those on whom the edge of this sharp affliction falls; but this is perhaps not less true of the nobles, whose general tone I believe to be that of disapproval towards the proceedings of the Government, while they have a kind of armistice with it, and it is the class beneath them that bears the brunt of the struggle. The Church at Naples is presided over by a Cardinal Archbishop of high birth, simple manners, and entire devotion to the duties of his calling, who, I am certain, is entirely incapable of either participating in or conniving at any proceedings unworthy in their character. The Jesuits are

the body who perhaps stand nearest to the Government; but they were ejected from their college during the time of the Constitution with flagrant illegality, and some considerable harshness: and even their doctrines do not seem to satisfy those in power, for a periodical which they conduct, under the name of *La Civilta Cattolica*, and which they used to print on their premises, has now been removed to Rome. That the clergy have a strong faction with the Government I do not doubt: so have the *lazzaroni:* but there is no proof of the complicity of the body, and clear proof of the opposition of a part of it, however their professional tone and learning may, to a certain extent, innocently predispose them in favor of the authorities, especially under a monarch reputed to be most regular and strict in the offices of religion.

I remain, my dear Lord Aberdeen,

With much regard, sincerely yours,

W. E. GLADSTONE.

6, *Carlton Gardens, July* 14, 1851.

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